



For Immediate Release

Contact: Craig Orfield
(202) 224-6770

Wednesday, June 7, 2006

***HOUSE PASSES SWEEPING MINE SAFETY REFORM BILL;
FIRST REFORMS IN 28 YEARS AWAITS PRESIDENT'S
SIGNATURE***

Washington, D.C. - U.S. Senator Mike Enzi (R-WY), Chairman of the Senate Health, Education, Labor and Pensions (HELP) Committee, and Senator Edward Kennedy (D-MA), the Committee's Ranking Member, today praised the House of Representatives for joining the Senate in approving the first major overhaul to mine safety in 28 years - a sweeping bill that will reduce safety risks for miners across the country in response to recent mining tragedies in West Virginia and Kentucky.

The legislation, the "Mine Improvement and New Emergency Response Act of 2006" (MINER Act), S. 2803, which was approved unanimously by the Senate on May 24th, adopts a range of new regulations that reflect the demands of today's workplace and also adopts world-class, 21st Century technologies to reduce safety risks to the nation's coal miners. The House passed the bill 381 to 37.

"This year our nation has experienced tragic losses in the coal mines of West Virginia and Kentucky," Enzi said. "Both the Senate and the House have shown their commitment to ensuring that such tragedies will not be repeated. I appreciate the prompt action by the House and I look forward to sending this important bill to the President's desk for his signature."

Senator Kennedy said: "The MINER Act is historic legislation that provides dramatic improvements in the safety of our nation's mines. The tragedies in West Virginia and Kentucky made clear that Congress had to act promptly. Thanks to the families of the miners who lost their lives, Congress got the message loud and clear and today has acted to save miners lives."

The bill was originally cosponsored by Senator Kennedy, Senator Jay Rockefeller (D-WV), Senator Robert Byrd (D-WV), Employment and Workplace Safety Subcommittee Chairman Senator Johnny Isakson (R-GA), the Subcommittee's Ranking Member Senator Patty Murray (D-WA), Senator Rick Santorum (R-PA), and Senator Mike DeWine (R-OH). The bill now awaits the President's signature.

“As Chairman of the HELP Committee, I am deeply grateful for the cooperation and support of my distinguished cosponsors on this bill who have worked tirelessly to make these improvements a reality,” Enzi added.

Key provisions of the “MINER Act” will:

- Require each covered mine to develop and continuously update a written emergency response plan;
- Promote use of equipment and technology that is currently commercially available;
- Require each mine’s emergency response plan to be continuously reviewed, updated and re-certified by MSHA every six months;
- Direct the Secretary of Labor to require wireless two-way communications and an electronic tracking system within three years, permitting those on the surface to locate persons trapped underground;
- Require each mine to make available two experienced rescue teams capable of a one hour response time;
- Require mine operators to make notification of all incidents/accidents which pose a reasonable risk of death within 15 minutes, and sets a civil penalty of \$5,000 to \$60,000 for mine operators who fail to do so;
- Establish a competitive grant program for new mine safety technology to be administered by NIOSH;
- Establish an interagency working group to provide a formal means of sharing non-classified technology that would have applicability to mine safety;
- Raise the criminal penalty cap to \$250,000 for first offenses and \$500,000 for second offenses, as well as raise the maximum civil penalty for flagrant violations to \$220,000;
- Give MSHA the power to request an injunction (shutting down a mine) in cases where the mine has refused to pay a final order MSHA penalty;
- Create a scholarship program available to miners and those who wish to become miners and MSHA enforcement staff to head off an anticipated shortage in trained and experienced miners and MSHA enforcement;
- Establish the Brookwood-Sago Mine Safety Grants program to provide training grants to better identify, avoid and prevent unsafe working conditions in and

around the mines. These grants will be made on an annual, competitive basis to provide education and training for employers and miners, with a special emphasis on smaller mines.

#